IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 12611 of 2004

Between:

The Tripurantakabatlapalli Taddy Toppers Co-operative Society (Regd.No. L.C.No. 276)
rep. by its President A. Krishnaiah S/o Chinnaiah, aged 32 years, R/o Tripurantakabatlapalli Village,
Venkatagiri Mandal, Nellore District.

..... PETITIONER

AND

1 The Commissioner, Prohibition and Excise, Government of Andhra Pradesh, Hyderabad.
2 The Superintendent , Prohibition & Excise, Nellore.
3 The Inspector, Prohibition & Excise, Venkatagiri, Nellore District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in passing the orders vide R.C.No. 206/04/A3, dt. 1-4-2004 insisting the society to admit the new members as illegal, arbitrary, apart from violation of Principles of Natural Justice, consequently directing the respondents to revoke the same

Counsel for the Petitioner: MR.G.JAGADEESWAR

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following :

THE HONOURABLE MS.JUSTICE G.ROHINI

WRIT PETITION NO.12611 OF 2004

ORDER:

The Petitioner is a Toddy Tappers Cooperative Society. This writ petition is filed seeking a declaration that the proceedings of the Superintendent of Prohibition and Excise, Nellore, dated 1.4.2004 directing to add 12 persons as new members to the society as arbitrary and illegal. Though the petitioner raised various grounds assailing the correctness of the impugned proceedings dated 1.4.2004, I am not inclined to go into the same since an effective alternative remedy is available under Section 61 of the A.P. Cooperative Societies Act, 1964 (for short, 'the Act').

In the circumstances, while granting liberty to the petitioner to avail the alternative remedy as available under the Act the writ petition is disposed of. No costs.

09.8.2004.

mdaa.

Copy to:

1 The Commissioner, Prohibition and Excise, Government of Andhra Pradesh, Hyderabad.
2 The Superintendent , Prohibition & Excise, Nellore.
3 The Inspector, Prohibition & Excise, Venkatagiri, Nellore District.

4. Two C.Cs. to G.P.Proh.& Excise, High Court of A.P., High Court Building, Hyderabad (OUT).

5. Two C.D.copies.